

1 EDMUND G. BROWN JR.  
2 Attorney General of the State of California  
3 DANE R. GILLETTE  
4 Chief Assistant Attorney General  
5 GERALD A. ENGLER  
6 Senior Assistant Attorney General  
7 GREGORY OTT  
8 Deputy Attorney General  
9 ARTHUR P. BEEVER  
10 Deputy Attorney General  
11 State Bar No. 242040  
12 455 Golden Gate Avenue, Suite 11000  
13 San Francisco, CA 94102-7004  
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15 Fax: (415) 703-1234  
16 Email: arthur.beever@doj.ca.gov  
17 Attorneys for Respondent

18  
19 IN THE UNITED STATES DISTRICT COURT  
20  
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
22  
23 SAN FRANCISCO DIVISION

24  
25 **IDRIS NAWABI,**

26 Petitioner,

27 C 08-1258 WHA (PR)

28 **APPLICATION FOR EXTENSION  
OF TIME TO FILE RESPONSE**

29 v.

30 **J. HARTELY, Warden,**

31 Respondent.

32  
33 Pursuant to Civil L.R. 6-3 and Habeas L.R. 2254-6, respondent hereby requests a 14-day  
34 extension of time from today's date until July 25, 2008, in which to file a response to the petition  
35 for writ of habeas corpus. Good cause for the extension is set forth in the accompanying declaration  
36 of counsel. We have not attempted to contact petitioner, who is an incarcerated state prisoner  
37 representing himself in this case.

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39 WHEREFORE, respondent respectfully requests that this Court grant an extension of time  
40 to and including July 25, 2008, in which to file the answer or other responsive pleading.

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1 Dated: July 11, 2008

2 Respectfully submitted,

3 EDMUND G. BROWN JR.  
4 Attorney General of the State of California

5 DANE R. GILLETTE  
6 Chief Assistant Attorney General

7 GERALD A. ENGLER  
8 Senior Assistant Attorney General

9 GREGORY OTT  
10 Deputy Attorney General

11 /s/ Arthur P. Beever  
12 ARTHUR P. BEEVER  
13 Deputy Attorney General  
14 Attorneys for Respondent

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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Nawabi v. Hartely, Warden**

No.: **C 08-1258 WHA (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On July 11, 2008, I served the attached

**APPLICATION FOR EXTENSION OF TIME TO FILE RESPONSE**

**DECLARATION OF COUNSEL IN SUPPORT OF APPLICATION FOR EXTENSION OF TIME TO FILE RESPONSE**

**ORDER GRANTING FIRST EXTENSION OF TIME TO FILE RESPONSE**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Francisco, California, addressed as follows:

Idris Nawabi  
P-41591/640-53L  
Avenal State Prison  
P.O. Box 9  
Avenal, CA 93204-0009

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 11, 2008, at San Francisco, California.

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M. Argarin

Declarant

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/s/ M. Argarin

Signature

1 EDMUND G. BROWN JR.  
2 Attorney General of the State of California  
3 DANE R. GILLETTE  
4 Chief Assistant Attorney General  
5 GERALD A. ENGLER  
6 Senior Assistant Attorney General  
7 GREGORY OTT  
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10 Deputy Attorney General  
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12 455 Golden Gate Avenue, Suite 11000  
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14 Telephone: (415) 703-5865  
15 Fax: (415) 703-1234  
16 Email: [arthur.beever@doj.ca.gov](mailto:arthur.beever@doj.ca.gov)  
17 Attorneys for Respondent

19 I, Arthur P. Beever, declare under penalty of perjury as follows:

20       1. I am a Deputy Attorney General for the State of California and am assigned to  
21 represent respondent in this habeas corpus case.

22        2. On March 11, 2008, this Court issued an Order to Show Cause why the petition for a  
23 writ of habeas corpus should not be granted. The California Attorney General's Office in San  
24 Francisco docketed the order on March 24, 2008. We have received two extensions of time, for a  
25 total of 60 days.

26 3. No Deputy Attorney General was assigned to represent respondent in the state courts.  
27 I am unfamiliar with the case. In the past 30 days, I have filed the Respondent's Brief on the Merits  
28 in *People v. Stevens* (California Supreme Court case number S158852) and the response in *Lowe*

1 v. Walker (C 08-005). I am currently devoting substantially all of my time to this case. I do not  
2 anticipate requiring any further extensions of time.

3           4. I have not attempted to contact petitioner because he is an incarcerated state prisoner  
4 who is representing himself in this case.

5       5. Accordingly, I respectfully request that this Court grant an extension of time to and  
6 including July 25, 2008, in which to file a response to the order to show cause.

8 || Dated: July 11, 2008

Respectfully submitted,

EDMUND G. BROWN JR.  
Attorney General of the State of California

DANE R. GILLETTE  
Chief Assistant Attorney General

GERALD A. ENGLER  
Senior Assistant Attorney General

GREGORY OTT  
Deputy Attorney General

/s/ Arthur P. Beever  
ARTHUR P. BEEVER  
Deputy Attorney General  
Attorneys for Respondent

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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7 SAN FRANCISCO DIVISION

8 **IDRIS NAWABI,**

9 Petitioner,

10 C 08-1258 WHA (PR)

11 v.

12 **J. HARTELY, Warden**

13 Respondent.

14  
15 **ORDER GRANTING FIRST  
EXTENSION OF TIME TO FILE  
RESPONSE**

16  
17 GOOD CAUSE APPEARING, it is hereby ordered that respondent is granted an  
extension of time, to and including July 25, 2008, to file a response to the petition for writ of  
habeas corpus.

18  
19 DATED: \_\_\_\_\_

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22 **WILLIAM ALSUP**  
United States District Judge

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